

1 (Court called to order.)

2 (11:37 a.m.)

3 THE COURT: The Speight matter, please. All right. If
4 everyone would state their name, please. Starting with you,
5 ma'am.

6 MS. KAEUBLEIN: Amanda Kaelblein.

7 THE COURT: Sir.

8 MR. SPEIGHT: Michael Speight.

9 THE COURT: All right.

10 MS. PADILLA: Elaine Padilla (phonetic), Probation, Your
11 Honor.

12 THE COURT: Good morning. Go ahead, Officer.

13 MS. PADILLA: Your Honor, the father has filed a complaint
14 for 209(c). He is seeking custody of the minor child, who will
15 turn seven in June. He indicates that he has not seen the child
16 in approximately 21 months. And that is not disputed.

17 He is seeking joint legal custody. He is seeking alternate
18 weekend parenting time plus one day per week, and he is looking
19 to share holidays. He was also looking to meet at the Melrose
20 Police Department for the purpose of exchanging the child during
21 scheduled visits. At this time, mother is opposed to father
22 having any contact with the minor child, and there is no
23 agreement at this time.

24 THE COURT: Well, what's --

25 MS. PADILLA: There's a -- there's a no-harassment order in

1 place. There is not a restraining order in place.

2 THE COURT: There's not a restraining order.

3 MS. PADILLA: No. Father has presented some documents
4 today. Mother has copies of everything. He appears to have
5 filed some sort of civil litigation in New Hampshire. I believe
6 it was filed this month -- no, I'm sorry, in February, like,
7 around the 24th. It has not been heard yet.

8 As far as the other documents, there are things like
9 collateral contacts showing that he's taking his Vivitrol shot,
10 showing he's in counseling. Mother has been given copies of all
11 documents.

12 THE COURT: Okay. What would you like to say, sir?

13 MR. SPEIGHT: Yeah. Your Honor, I heard you earlier. You
14 said more is less, so I'll just give you a brief rundown.

15 THE COURT: I was talking about exhibits, really. Less is
16 more. Instead of giving me 10,000 pages, you can give me, you
17 know.

18 MR. SPEIGHT: All right.

19 THE COURT: Right. What have you got to say?

20 MR. SPEIGHT: So on June -- on May 28th, Mother left with
21 minor child out in New Hampshire and came to Massachusetts. She
22 then asked me to start paying child support. With no order, I
23 started paying her child support. I paid child support with the
24 order and without an order since May 28th of 2022.

25 THE COURT: Okay.

1 MR. SPEIGHT: And I haven't seen my daughter since that
2 day. So litigation started in New Hampshire after she was
3 offered a restraining order on May 28th. She denied it and said
4 I wasn't violent. I have the police report right here from
5 Derry -- Derry Police Department, if you want it.

6 Then she attempted to get three other restraining orders on
7 me, and they all failed. She only got the harassment order
8 because she -- I was bogged down with litigation, and I couldn't
9 miss any more time at work, and I missed the hearing. And they
10 gave her the harassment order for a no show.

11 So New Hampshire was continuously exercising jurisdiction.
12 In July, she put in a motion to dismiss and moved to
13 Massachusetts. It was denied. And then she took it upon
14 herself, still, to go to the DOR and ask for a child support
15 order.

16 So before my parenting plan in New Hampshire, 12 days
17 before the parenting plan, Massachusetts put in a temporary
18 order. And that got my --

19 THE COURT: For parenting or for child support?

20 MR. SPEIGHT: Just for child support.

21 THE COURT: All right.

22 MR. SPEIGHT: She didn't file for custody. She only wanted
23 child support. Now, the reason why she wanted child support is
24 in New Hampshire, it goes to 18. In Massachusetts, it goes to
25 26.

1 THE COURT: well, not 26 -- 23.

2 MR. SPEIGHT: 23. It's still a significant amount of time
3 more. Anyways, what I'm getting at is she wouldn't let me see
4 my daughter the whole time. So I appealed the decision to the
5 Supreme Court in New Hampshire. I denied because the
6 Massachusetts judge, after the child was in Massachusetts for
7 six months, put in a full order.

8 Then I filed for custody here. The whole time, she hasn't
9 let me see my daughter. She let me speak to her twice on the
10 phone at the beginning.

11 If you look at the Massachusetts transcripts, she says we
12 were together five years. And if you look at the New Hampshire
13 transcripts, she says I never had a relationship with my
14 daughter at all. And as you can see, I entered pictures into
15 evidence that I did have a relationship with my daughter. and
16 I -- and I want to continue that relationship.

17 THE COURT: What are you looking to have happen today, sir?

18 MR. SPEIGHT: I want every other weekend. And I want one
19 day a week, and I shouldn't pay -- I shouldn't have to pay. And
20 I can read you constitutional provisions where a father enjoys
21 the same right.

22 THE COURT: You -- you're the father. You're the mother.
23 You both have rights, okay.

24 MR. SPEIGHT: I want joint custody. I want every other
25 weekend and one night a week.

1 THE COURT: Okay. What do you say, ma'am?

2 MS. KAEUBLEIN: Your Honor, do you mind if I refer to my
3 notes on my phone?

4 THE COURT: That's okay.

5 MS. KAEUBLEIN: Thank you so much. I did bring all the
6 legal documentation as well. I'm not aware of any of that being
7 true. I want to start off by saying yes, we were in a
8 relationship. We had a beautiful daughter together who was six
9 and a half. She's actually on the autism spectrum, so she
10 suffers from emotional issues.

11 I want to say that we stayed together for that long because
12 we -- me and my family and friends all rooted for him during
13 nefarious behaviors. When this started, we -- I left him
14 because I had found out that he was engaging in paying
15 prostitutes. I did not think that was appropriate for my
16 daughter to be around that type of behavior, and due to past
17 addiction issues, I know what kind of state he's in when he
18 engages in any type of addiction.

19 He called my work after this happened and opened a
20 compliance investigation on me at my job. They closed it with
21 no findings, and they actually were not even comfortable enough
22 calling him back because he was so aggressive towards my job.

23 My job holds the health insurance that gives my daughter
24 her BCBA services five days a week. She would have lost her
25 services that she's had since she was a baby. Two ex partes

1 were filed on me in New Hampshire for emergency removal. They
2 were both dismissed by the New Hampshire courts.

3 I've had frivolous cases filed on me after every single
4 court hearing that him and I have had. There's always a new
5 open case. And like he said, he's now suing my mother and my
6 father, me, the DOR lawyer from Massachusetts, and I believe
7 he's also -- he's also filed against the State of Massachusetts,
8 which I believe is closed.

9 He's been very -- his behavior has been very manipulative.
10 I've been informed by others that he's showing ill intent over
11 social media, along with other people in his life. He's used
12 the court system for intimidation and financial hardships. He's
13 told me that my father is going to have to remortgage his house
14 after he's done in the court system. My lawyer had told me to
15 file for criminal harassment. He says that he always wins in
16 court.

17 I want my daughter to feel safe. The letters of
18 recommendation that he's provided, I don't know any of these
19 people, so I'm not really sure. I know a different side of him,
20 unfortunately. He has threatened psychological damage if he
21 gets my daughter. Writing over and over again Mama and Papa
22 won't let you see me. Mama and Papa won't let you see me, over
23 and over again.

24 He's made threats that are -- I'm actually uncomfortable
25 even standing up here today because of the criminal background.

1 And there's violence in our past. We've had open DCF cases, and
2 I dropped a third-time felon on him because I wanted to him to
3 have a relationship with his daughter. I was -- it was advised
4 not to.

5 THE COURT: Let me ask. Dad hasn't seen your daughter for
6 some period of time.

7 MS. KAELBLEIN: Yes.

8 THE COURT: So do you think there should be any parenting
9 order put in place?

10 MS. KAELBLEIN: I do not.

11 THE COURT: Forever and never?

12 MS. KAELBLEIN: I don't believe that, no.

13 THE COURT: So tell me -- tell me what you think should --
14 the right thing to do is.

15 MS. KAELBLEIN: I think that he needs to work on himself.
16 I think that he needs anger management. I think that he needs
17 intensive therapy. There's a lot of things that I think that he
18 needs, to be honest.

19 I think he probably knows better what he needs. But just
20 from what I've seen, I believe that he needs those types of
21 things. A lot of anger management, a lot of therapy, parenting
22 classes, maybe. I don't even know what other services are
23 offered beyond that. But I would say that any services that are
24 offered, he would probably need.

25 THE COURT: Okay. Anything else you want to say?

1 MR. SPEIGHT: Yeah. Your Honor, all this is hearsay. She
2 has no paperwork or anything to prove this. She's used this
3 before in the restraining orders. They got denied. It's -- you
4 know, it's a tactic to manipulate the Court and keep me away
5 from my child.

6 Because me and my daughter had a wonderful relationship.
7 And at times, she was jealous over my daughter and my
8 relationship because I didn't show her the same attention. The
9 relationship was ending, and I didn't show her the same
10 attention that I showed my daughter.

11 And, you know, if this. I don't see how this can -- can
12 continue. I mean, I have rights as a parent. And you know, all
13 I want to do is see our child. I want to raise our child
14 together. And she -- she's unwilling to do that.

15 THE COURT: Okay. I'll take it under advisement. Okay.
16 Thank about what to do. Thank you, folks.

17 MS. KAELBLEIN: Thank you.

18 (Hearing concluded at 11:47 a.m.)

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2

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March 21, 2024

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